

Town Board Minutes

Meeting No. 21

Special Meeting

August 21, 2000

Town Board Minutes

August 21, 2000

Meeting No. 21

A joint meeting of the Town Board and the Planning Board of the Town of Lancaster, New York, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 17th day of April 2000, at 6:30 PM and there were

PRESENT: ROBERT GIZA, SUPERVISOR
MARK MONTOUT, COUNCIL MEMBER
GEORGETTE PELLETTERIE, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
RICHARD ZARBO, COUNCIL MEMBER
JOHN GOBER, PLANNING BOARD MEMBER
MELVIN SZYMANSKI, PLANNING BOARD MEMBER
MILDRED WHITTAKER, PLANNING BOARD MEMBER

ABSENT: FRANK DE CARLO, PLANNING BOARD MEMBER
STANLEY KEYSA, PLANNING BOARD CHAIRMAN
DAVID MARRANO, PLANNING BOARD MEMBER
STEVEN SOCHA, PLANNING BOARD MEMBER

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
RICHARD SHERWOOD, TOWN ATTORNEY
JEFFREY SIMME, BUILDING INSPECTOR
ROBERT LABENSKI, TOWN ENGINEER

PURPOSE OF MEETING:

This joint meeting of the Town Board and Planning Board of the Town of Lancaster was held for the purpose of acting as a Municipal Review Committee for a State Environmental Quality Review of three (3) actions.

IN THE MATTER OF THE SEQR REVIEW OF THE PROPOSED REZONE FROM AGRICULTURAL RESIDENTIAL (AR) AND RESIDENTIAL COMMERCIAL/OFFICE (RCO) TO LIGHT INDUSTRIAL (LI) OF APPROXIMATELY 128.04 ACRES AND CONSTRUCTION OF 2,000,000 SQUARE FEET OF OFFICE/WAREHOUSE SPACE ON A SITE SITUATE AT THE NORTHWEST CORNER OF WALDEN AVENUE AND PAVEMENT ROAD AS SUBMITTED BY UNILAND DEVELOPMENT COMPANY.

The Municipal Review Committee proceeded with the Long Environmental Assessment Form on the Uniland Development Company matter with an item for item review and discussion of the project impact and magnitude as outlined on the Long Environmental Assessment Form entitled "Part 2 Project Impacts and Their Magnitude" which was provided to each member.

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL MEMBER STEMPNIAK, WHO MOVED ITS
ADOPTION, SECONDED BY PLANNING
BOARD MEMBER SZYMANSKI, TO WIT:

RESOLVED, that the following Positive Declaration be adopted:

**NOTICE OF DETERMINATION
UNILAND DEVELOPMENT CORPORATION COMPANY
POSITIVE DECLARATION**

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is a Type 1 action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.7, the lead agency now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with 617.12.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Richard J. Sherwood, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development involves a proposed zoning change from Agricultural Residential (AR) and Residential Commercial/Office (RCO) to Light Industrial (LI) and the construction of approximately 2,000,000 square feet of office /warehouse building on a parcel of approximately 128.04 acres.

The location of the premises being reviewed is the northwest corner of Pavement Road and Walden Avenue.

REASONS SUPPORTING DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found the proposed action impacts to be as follows:

1. The proposed action will result in a physical change to the project site.
2. The proposed action will not effect any unique or unusual land forms found on the site.
3. The proposed action will not affect any water body designated as protected.
4. The proposed action will not affect any non-protected existing or new body of water.
5. The proposed action will have a potentially large affect on surface or ground water quality or quantity.

It is noted that a State Pollution Discharge Elimination System (SPDES)
General Permit for Discharge from Construction Activities is required.

6. The proposed action will not alter drainage flow patterns or surface water runoff.
7. The proposed action will have a potentially large affect on air quality.
8. The proposed action will not affect any threatened or endangered species.
9. The proposed action will have a small to moderate affect on non-threatened or non-endangered species.
10. The proposed action will have a small to moderate affect on agricultural land resources.
11. The proposed action will have a small to moderate affect on aesthetic resources.
12. The proposed action may have a small to moderate impact upon a site or structure of historic, pre-historic or paleontological importance.
13. The proposed action will not affect the quantity or quality of existing or future open spaces or recreational opportunities.
14. The proposed action will have a potentially large affect on existing transportation systems.
15. The proposed action will not affect the community's sources of fuel or energy supply.
16. There will be small to moderate objectionable odors, noise, or vibration as a result of this proposed action.
17. The proposed action will not affect public health and safety.
18. The proposed action will have a small to moderate affect on the character of the existing community.
19. There is not, nor is there likely to be, public controversy related to potential adverse environmental impacts.

s/s _____

SEAL

Robert H. Giza, Supervisor
Town of Lancaster

August 21, 2000

and,

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Positive Declaration" Notice of Determination of Significance in this matter, and

BE IT FURTHER

RESOLVED, that the Town Attorney's Office prepare and file a "Positive Declaration" Notice of Determination of Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Positive Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote on roll call which resulted as follows:

SUPERVISOR GIZA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
PLANNING BOARD MEMBER DE CARLO	WAS ABSENT
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD CHAIRMAN KEYSA	WAS ABSENT
PLANNING BOARD MEMBER MARRANO	WAS ABSENT
PLANNING BOARD MEMBER SOCHA	WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD MEMBER WHITTAKER	VOTED YES

The Notice of Determination was thereupon unanimously adopted.

August 21, 2000

**IN THE MATTER OF THE SEQR REVIEW OF THE
MOE'S AUTO GLASS SITE PLAN MATTER**

The Municipal Review Committee proceeded with the short Environmental Assessment Form on the Moe's Auto Glass site plan matter with an item for item review and discussion of the project impact and magnitude as outlined on the Short Environmental Assessment Form, entitled "Part II Environmental Assessment", which was provided to each member.

THE FOLLOWING RESOLUTION WAS OFFERED
BY PLANNING BOARD MEMBER GOBER,
WHO MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ZARBO, TO WIT:

RESOLVED, that the following Negative Declaration be adopted.

**NOTICE OF DETERMINATION:
MOE'S AUTO GLASS SITE PLAN
NEGATIVE DECLARATION**

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is an unlisted action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.7, the lead agency now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with 617.12.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Richard J. Sherwood, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 4.25 acres.

The location of the premises being reviewed is situate at 5071 Transit Road.

REASONS SUPPORTING DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found, in their item for item completion of the Short Environmental Assessment Form on this proposed action as follows:

- A. The action does not exceed any type 1 threshold in 6 NYCRR, Part 617.4.
- B. The action will not receive coordinated review as provided for unlisted actions in 6 NYCRR, Part 617.6.
- C. The proposed action will not result in any adverse effects associated with the following:
 - C.1 Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems.
No significant adverse effects noted
 - C.2 Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character.
No significant adverse effects noted
 - C.3 Vegetation or fauna, fish, shellfish or wildlife species significant habitats, or threatened or endangered species.
No significant adverse effects noted
 - C.4 A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources.
No significant adverse effects noted
 - C.5 Growth, subsequent development, or related activities likely to be induced by the proposed action.
No significant adverse effects noted
 - C.6 Long term, short term, cumulative, or other effects not identified in C1-C5.
No significant adverse effects noted
 - C.7 Other impacts (including changes in use of either quantity or type of energy).
No significant adverse effects noted
- D. The project will have no impact on the environmental characteristics that caused the establishment of a CEA.
- E. There is not, nor is there likely to be, controversy related to potential adverse environmental impacts.

s/s

Robert H. Giza, Supervisor
Town of Lancaster

SEAL

August 21, 2000

and,

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

BE IT FURTHER

RESOLVED, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote on roll call which resulted as follows:

SUPERVISOR GIZA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
PLANNING BOARD MEMBER DE CARLO	WAS ABSENT
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD CHAIRMAN KEYSA	WAS ABSENT
PLANNING BOARD MEMBER MARRANO	WAS ABSENT
PLANNING BOARD MEMBER SOCHA	WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD MEMBER WHITTAKER	VOTED YES

The Notice of Determination was thereupon unanimously adopted.

August 21, 2000

**IN THE MATTER OF THE SEQR REVIEW OF THE
SUMMIT CONSTRUCTION GROUP SITE PLAN MATTER**

The Municipal Review Committee proceeded with the short Environmental Assessment Form on the Summit Construction Group site plan matter with an item for item review and discussion of the project impact and magnitude as outlined on the Short Environmental Assessment Form, entitled "Part II Environmental Assessment", which was provided to each member.

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL MEMBER STEMPIAK, WHO MOVED
ITS ADOPTION, SECONDED BY PLANNING BOARD
MEMBER WHITTAKER, TO WIT:

RESOLVED, that the following Negative Declaration be adopted.

**NOTICE OF DETERMINATION:
SUMMIT CONSTRUCTION GROUP
NEGATIVE DECLARATION**

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is an unlisted action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.7, the lead agency now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with 617.12.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Richard J. Sherwood, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 3 acres.

The location of the premises being reviewed is situate on Lancaster Parkway site # 3.

REASONS SUPPORTING DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found, in their item for item completion of the Short Environmental Assessment Form on this proposed action as follows:

- A. The action does not exceed any type 1 threshold in 6 NYCRR, Part 617.4.
- B. The action will not receive coordinated review as provided for unlisted actions in 6 NYCRR, Part 617.6.
- C. The proposed action will not result in any adverse effects associated with the following:
 - C.1 Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems.
No significant adverse effects noted
 - C.2 Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character.
No significant adverse effects noted
 - C.3 Vegetation or fauna, fish, shellfish or wildlife species significant habitats, or threatened or endangered species.
No significant adverse effects noted
 - C.4 A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources.
No significant adverse effects noted
 - C.5 Growth, subsequent development, or related activities likely to be induced by the proposed action.
No significant adverse effects noted
 - C.6 Long term, short term, cumulative, or other effects not identified in C1-C5.
No significant adverse effects noted
 - C.7 Other impacts (including changes in use of either quantity or type of energy).
No significant adverse effects noted
- D. The project will have no impact on the environmental characteristics that caused the establishment of a CEA.
- E. There is not, nor is there likely to be, controversy related to potential adverse environmental impacts.

s/s

Robert H. Giza, Supervisor
Town of Lancaster

SEAL

August 21, 2000

and,

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

BE IT FURTHER

RESOLVED, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote on roll call which resulted as follows:

SUPERVISOR GIZA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
PLANNING BOARD MEMBER DE CARLO	WAS ABSENT
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD CHAIRMAN KEYSA	WAS ABSENT
PLANNING BOARD MEMBER MARRANO	WAS ABSENT
PLANNING BOARD MEMBER SOCHA	WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD MEMBER WHITTAKER	VOTED YES

The Notice of Determination was thereupon unanimously adopted.

August 21, 2000

ADJOURNMENT:

ON MOTION DULY MADE, SECONDED AND CARRIED, this meeting was adjourned at 7:32 P.M.

Johanna M. Coleman, Town Clerk

Town Board Minutes

Meeting No. 22

Regular Meeting

August 21, 2000

Town Board Minutes

August 21, 2000

Meeting No. 22

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 21st day of August 2000 at 8:00 P.M. and there were

PRESENT: MARK MONTOUR, COUNCIL MEMBER
GEORGETTE PELLETTERIE, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
RICHARD ZARBO, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
ROBERT LABENSKI, TOWN ENGINEER
RICHARD SHERWOOD, TOWN ATTORNEY
JEFFREY SIMME, BUILDING INSPECTOR
CHRISTINE FUSCO, ASSESSOR
RICHARD REESE JR., HIGHWAY SUPERINTENDENT

PERSONS ADDRESSING TOWN BOARD:

Latello, Elaine, 33 Brunck Road, spoke to the Town Board on the following matter:

- The Highway Department recently did some road construction on her street. She feels that her driveway approach is too low compared to those approaches of her neighbors. Has asked the Town Board for guidance in how to remedy the situation.

Luke, Russ, 96 Maple Drive, spoke to the Town Board on the following matter:

- Concerns about alleged dumping by the Bella Vista Group at their property on Transit Road near Genesee Street.

Cipolla, Joseph, 35 Hillside Pkwy, spoke to the Town Board on the following matter:

- Comments re: his application for a dumping permit for his business property at Transit Road near Genesee Street.

Cippola, Pat, 28 Pine Ridge Road, Cheektowaga, spoke to the Town Board on the following matter:

- Comments re: criticism leveled at Bella Vista's development plans.

Korcz, Richard, 4946 William Street, spoke to the Town Board on the following matter:

- Questions re: site plan for the William Street/Aurora Street project.

Pelletterie, Georgette, 5579 William Street, spoke to the Town Board on the following matter:

- Comments re: a statement made at this evening's Town Board meeting by Council Member Montour.

Hojczyk, Bill, 106 Newberry Lane, spoke to the Town Board on the following matter:

- Wants to know why so few people are notified of a proposed rezone.

Luke, Russ, 96 Maple Drive, spoke to the Town Board on the following matter:

- Thanks the Town Board for their service to the residents of Lancaster.

Gull, Henry, 710 Pavement Road, spoke to the Town Board on the following matter:

- Comments re: the August 21, 2000 Buffalo News article featuring himself and James Guenther.

Schneggenburger, Roy, 87 Stony Road, spoke to the Town Board on the following matters:

- Resolutions #10 & 11 - Questions about dumping resolutions for DPC, Inc. and Dianne Edwards/Marlene Kriegbaum.
- Suggests that we post legal notices in a display in front of Town Hall.

Symer, Donald, 610 Columbia Avenue, spoke to the Town Board on the following matters:

- Comments & questions re: lights to be provided by Little League to Westwood Park.
- Comments re: the proposed ordinance for yard sales and suggestions re: enforcement of said ordinance.

Wander, Art, 9 Broadmoor Court, spoke to the Town Board on the following matter:

- Thanks Council Member Stempniak for her support of the Traceway Subdivision residents. His concerns re: standing water and how that may contribute to the spread of the West Nile virus.

PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:

At 8:30 P.M., the Town Board held a Public Hearing to hear all interested persons upon a proposed amendment to the Zoning Map of the Town of Lancaster as petitioned by Ferry Builders, Inc. for premises situate on the south side of Broadway, east side of Parkdale Drive in the Town of Lancaster.

The affidavits of publication of this Public Hearing are on file and a copy of the Public Notice has been posted.

PROPONENT

Thomas Ferry, the petitioner

ADDRESS

125 Nichter Road

OPPONENTS

John Forys
Mary Mac Donald
Carol Cudeck
Mary Dominiak
M. Jane Ehrke
William Brautlacht
Nancy McGrath
Michael Beliveau
Lou Salvatore Jr.
Mark Kubicki
Michele Musial
Tom Czerniejewski
Roy Schneggenburger
Jeanne Kubicki
Lawrence Nowak

ADDRESS

8 Parkdale Drive
5743 Broadway
49 Parkdale Drive
10 Parkdale Drive
9 Parkdale Drive
18 Parkdale Drive
38 Parkdale Drive
40 Parkdale Drive
15 Parkdale Drive
5747 Broadway
19 Glendale Drive
17 Glendale Drive
87 Stony Road
5747 Broadway
27 Glendale Drive

COMMENTS & QUESTIONS

Mark Phillips
Russ Luke

ADDRESS

5779 Broadway
96 Maple Drive

ON MOTION BY COUNCIL MEMBER STEMPNIAK, AND SECONDED BY COUNCIL MEMBER MONTOUR, the question of closing the Public Hearing was put to a roll call vote which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

The Public Hearing was closed at 9:45 P.M.

The Supervisor informed those present that the Town Board would reserve decision on this matter.

PUBLIC HEARING SCHEDULED FOR 9:00 P.M.:

At 9:45 P.M., the Town Board held a Public Hearing to hear all interested persons upon a proposed Local Law of the Town of Lancaster of the year 2000, which Local Law repeals Chapter 34 entitled "Residential Real Estate Development", and enacts in place thereof a new Chapter 34, entitled "Residential Subdivision Development".

The affidavits of publication of this Public Hearing are on file and a copy of the Public Notice has been posted.

PROPOSERS

ADDRESS

Art Wander (Conditional)	9 Broadmoor Court
Donald Symer	610 Columbia Avenue
Fred Hammer	240 Ransom Road
Russ Luke	96 Maple Drive
Nancy McGrath	38 Parkdale Drive
Roy Schneggenburger (Qualified)	87 Stony Road
John Forys	8 Parkdale Drive

OPPOSERS

ADDRESS

Thomas Ferry	125 Nichter Road
Joe McIvor	91 Eastwood Parkway
Mike Giallanza	5653 Broadway (The Giallanza Group)
Bill Tuyn	60 Earhart Drive

COMMENTS & QUESTIONS

ADDRESS

None

ON MOTION BY COUNCIL MEMBER STEMPIAK, AND SECONDED BY COUNCIL MEMBER MONTOUR, the question of closing the Public Hearing was put to a roll call vote which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

The Public Hearing was closed at 10:55 P.M.

The Supervisor informed those present that the Town Board would reserve decision on this matter.

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

RESOLVED, that the minutes from the Joint Meeting of the Town Board
and the Planning Board held on August 7, 2000 and the Regular Meeting of the Town Board
held on August 7, 2000 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a
vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 21, 2000

File: RMIN (P3)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER ZARBO, TO WIT:

RESOLVED; that Robert H. Giza, as Supervisor of the Town of Lancaster, is hereby authorized and directed to file an application for funds from the New York State Office of Parks, Recreation and Historic preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993 and/or Title 3 of the Clean Water/Clean Air Bond Act, in an amount not to exceed \$350,000, and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to the Town of Lancaster for Keysa Park Rehabilitation.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 21, 2000

File: Rgrantapwestpk (P1)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

WHEREAS, the Bowmansville Volunteer Fire Association, Inc., by letter dated August 7, 2000 has requested the addition of one probationary limited active member and two (2) probationary active members to the membership roster of said fire association,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the following additions to the membership of the Bowmansville Volunteer Fire Association:

ADDITION - Probationary Limited Active Member:

Barbara Kleparek
19 Main Street
Bowmansville, New York 14026

ADDITIONS - Probationary Active Members:

Gary Majkowski
14 Birchwood Common
Lancaster, New York 14086

Bruce Hora
73 Stony Brook
Lancaster, New York 14086

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETIER	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 21, 2000

File: RFIRE (P2)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER PELLETTERIE, TO WIT:

WHEREAS, it is essential to public safety that the Town of Lancaster
continue its participation in the coordinated effort to reduce alcohol related traffic injuries and
fatalities, and

WHEREAS, the County of Erie has tendered an application to the Town of
Lancaster for participation in said coordinated effort for the year 2000;

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed
to execute on behalf of the Town of Lancaster, the 2000 Application with the County of Erie
for participation in funding of alcohol related traffic safety law enforcement activities under the
2000 STOP-DWI Grant Program.

The question of the adoption of the foregoing resolution was duly put to a
vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 21, 2000

File: rastpdwi

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ZARBO, TO WIT:

WHEREAS, by letter dated August 8, 2000, the Lancaster/Depew Baseball Leagues, Inc., has offered to purchase lights and has made arrangements for installation of same at Westwood Park's Offerman Field, at no expense to the Town, and

WHEREAS, by letter dated August 10, 2000, General Crew Chief, Terrence McCracken has requested the Town Board's approval of the Baseball Leagues' offer, and

WHEREAS, the Town Board has reviewed this request and deems it in the public interest and in the interest of furthering the recreational use of Westwood Park to accept this generous offer;

NOW, THEREFORE, BE IT

RESOLVED, the Town Board of the Town of Lancaster hereby accepts the offer of the Lancaster/Depew Little Baseball Leagues, Inc. to purchase lights and have same installed at no cost to the Town of Lancaster, and extends its thanks and gratitude to the Lancaster/Depew Baseball Leagues, Inc. and to New York State Electric & Gas Corporation for their generous gift which will further enhance Westwood Park.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 21, 2000

File: rlitwwpk.800

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, Windsor Ridge Partners, John James Audubon Parkway, the owner of a parcel of property located on the north side of Hall Road, west of Bowen Road, and locally known as 00 & 206 Hall Road, in the Town of Lancaster, New York, has petitioned the Town Board of the said Town for the rezone of a total of one hundred ten \pm (110 \pm) acres, as follows: Parcel "A" - Sixty-nine (69) acres from an AR-Agricultural Residential District to an R2-Residential District 2; and the rezone of Parcel "B" -Thirty-six (36) acres from an AR-Agricultural Residential District to an MFR-3 - Multi-family District 3, and

WHEREAS, the Petition has been referred to the Planning Board of the Town of Lancaster for its recommendation and report;

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Sections 130 and 265 of the Town Law of the State of New York a Public Hearing on the proposed rezone will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 5th day of September, 2000, at 8:30 o'clock P.M., Local Time, and that Notice of the time and Place of such Hearing be published in the Lancaster Bee, a newspaper of general circulation in said Town and be posted on the Town Bulletin Board, and that Notice of such Hearing be referred to the Erie County Department of Planning, pursuant to Section 239 (m) of the General Municipal Law, which Notice shall be in form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED NO
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED NO
SUPERVISOR GIZA	VOTED YES

August 21, 2000

File: rezwrge.800

**LEGAL NOTICE
PUBLIC HEARING
REZONE - WINDSOR RIDGE
TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 7th day of August, the said Town Board will hold a Public Hearing on the 5th day of September, 2000, at 8:30 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the following proposed amendments to the Zoning Ordinance and Zoning Map of the Town of Lancaster, rezoning a total of 110 ± acres: **Parcel "A"** - 69± Acres from AR-Agricultural Residential District to R-2-Residential District Two; and **Parcel "B"** - 36± Acres from AR-Agricultural Residential District to MFR-3- Multi-family District Three, said property located on the north side of Hall Road and locally known as 00 and 206 Hall Road, in the Town of Lancaster, New York:

PARCEL "A" - 69± Acres from AR-Agricultural Residential District to R2-Residential District Two:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lancaster, County of Erie and State of New York, being part of Lots 77, 78, 79 and 80, Township 10, Range 6 of the Buffalo Creek Reservation, described as follows:

BEGINNING at the southwesterly corner of Lot 78, Township 10, Range 6, being the southwesterly corner of lands conveyed to Windsor Ridge Partners by Deed recorded in Liber 10876 of Deeds at page 2067;

THENCE: N-00° -39'-48"-W, along the westerly line of Lot 78, being the easterly line of Lot 79 and being the westerly line of said Windsor Ridge Partners lands and along the westerly line of lands conveyed to A.V. Randaccio et.al. by Deed recorded in Liber 10630 of Deeds at page 57, a distance of 711.41 feet to the southeasterly corner of lands conveyed to A.V. Randaccio et. al. by Deed recorded in Liber 10042 of Deeds at page 624;

THENCE, S-89°-32'-01"-W, along the southerly line of last said Randaccio lands, a distance of 1,145.46 feet to a point;

THENCE: through last said Randaccio lands, the following four (4) courses and distances:

- 1) N-40°-36'-11"-E, a distance of 360.04;
- 2) Northwesterly, on a curve to the right having a radius of 400.0 feet, an arc distance of 88.90 feet to a point of tangency;
- 3) N-36°-40'-08"-W, a distance of 141.26 feet to a point;
- 4) N-60°-22'-37"-E, a distance of 33.25 feet to a point on the southerly line of Windsor Ridge Subdivision, Phase Two, as shown on a subdivision map filed in the Erie County Clerk's Office under Map Cover 2774;

THENCE: N-60°-22'-37"-E, along the southerly line of said Windsor Ridge Subdivision

Phase Two, a distance of 186.41 feet to a point on the division line between Windsor Ridge Subdivision Phase Two on the west, and Windsor Ridge Subdivision, Phase Three, as shown on a subdivision map filed in the Erie County Clerk's Office under Map Cover 2869, on the east;

THENCE: Easterly, along southerly lines of said Windsor Ridge Subdivision, Phase Three, the following three (3) courses and distances:

- 1) N-59°-19'-04"-E, a distance of 643.51 feet to a point;
- 2) S-81°-58'-45"-E, a distance of 560.72 feet to a point;
- 3) N-64°-51'-28"-E, a distance of 549.40 feet to a point

THENCE: Through lands conveyed to A.V.Randaccio et.al. by Deed recorded in Liber 10630 of Deeds at Page 1671, the following seven (7) courses and distances:

- 1) S-01°-30'-04"-E, a distance of 811.30 feet to a point;
- 2) N-89°-32'-01"-E, a distance of 576.10 feet to a point of curvature;
- 3) Southeasterly, on a curve to the right having a radius of 133.0 feet, an arc distance 201.71 feet to a point;
- 4) N-88°-29'-56"-E, a distance of 188.45 feet to a point;
- 5) S-08°-10'-43"-E, a distance of 151.02 feet to a point;
- 6) S-01°-30'-04"-E, a distance of 240.00 feet to a point;
- 7) N-88°-29'-56"-E, a distance of 675.87 feet to a point on the easterly line of last said Windsor Ridge Partners lands;

THENCE: S-01°-31'-51"-E, along the easterly line of last said Windsor Ridge Partners lands, a distance of 386.00 feet to a point on the southerly line of Lot 78;

THENCE: S-88°-29'-56" W, along the southerly line of Lot 78, a distance of 2,366.81 feet to the POINT OR PLACE OF BEGINNING, containing 69.14 acres be the same more or less.

PARCEL "B" - 35.76 ± Acres from AR-Agricultural Residential District to MFR-3-Multi-Family District Three.

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lancaster, being part of Lots 77 and 78, Township 10, Range 6 of the Buffalo Creek Reservation, bounded and described as follows:

BEGINNING at the northeasterly corner of Lot 78, Township 10, Range 6, being a northeasterly corner of lands conveyed to A.V. Randaccio et. al. by Deed recorded in Liber 10630 of Deeds at Page 57;

THENCE: S-01°-31'-51"-E, along the easterly line of Lot 78, being the easterly line of said Randaccio lands, a distance of 786.57 feet to the southeasterly corner thereof;

THENCE: S-89°-29'-56" W, along the southerly line of Randaccio lands, a distance of 150.00 feet to the northeasterly corner of lands conveyed to Windsor Ridge Partners by Deed recorded in Liber 10882 of Deeds at Page 1671:

THENCE: S-01°-31'-51" E, along the easterly line of said Windsor Ridge Partners lands a distance of 243.0 feet to a point;

THENCE: Through said Windsor Ridge Partners land and said Randaccio lands, the following seven (7) courses and distances:

- 1.) S-88°-29'-56"-W, a distance of 675.87 feet to a point;
- 2.) N-01°-30'-04"-W, a distance of 240.0 feet to a point;
- 3.) N-08°-10'-43"-W, a distance of 152.02 feet to a point;
- 4.) S-88°-29'-56"-W, a distance of 188.45 feet to a point;
- 5.) Northwesterly, on a curve to the left having a radius of 133.0 feet, an arc distance of 201.71 feet to a point of tangency;
- 6.) S-89°-32'-01"-W, a distance of 576.10 feet to a point;
- 7.) N-01°-30'-04"-W, a distance of 811.30 feet to a point on the southerly line of Windsor Ridge Subdivision, Phase Three, as shown on a subdivision map filed in the Erie County Clerk's Office under Map Cover 2869;

THENCE: N-64°-51'-28"-E, along the southerly line of said Windsor Ridge Subdivision, Phase Three, a distance of 634.57 feet to a point on an easterly line of lands conveyed to A. V. Randaccio et. al. by Deed recorded in Liber 10630 of Deeds at Page 57.

THENCE: S-00°-33'-33"-W, along an easterly line of said Randaccio lands a distance of 564.54 feet to a point on the division line between Lot 77, on the north and Lot 78, on the south.

THENCE: N-88°-31'-41"-E, along said division line, being a northerly line of said Randaccio lands, a distance of 1,176.85 feet, to the point or place of beginning, containing 35.76 acres be the same more or less.

Full opportunity to be heard will be given to any and all citizens and all parties in interest

TOWN BOARD OF THE
TOWN OF LANCASTER

By: JOHANNA M. COLEMAN
Town Clerk

August 21, 2000

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, a Public Hearing was held on the 7th day of August, 2000 for the purpose of amending the Code by enacting an Ordinance entitled "Yard Sales" and designated as Chapter 49 of the Code of the Town of Lancaster, and persons for and against such Ordinance have had an opportunity to be heard, and

WHEREAS, a Notice of Public Hearing was duly published and posted;

NOW, THEREFORE, BE IT

RESOLVED, that the Code of the Town of Lancaster is hereby amended by adding thereto Chapter 49-Yard Sales, which reads as follows:

**CHAPTER 49
YARD SALES**

- §49-1. **Intent.**
- §49-2. **Application for permit.**
- §49-3. **Permit fee.**
- §49-4. **Limitation.**
- §49-5. **Posting of signs.**
- §49-6. **Location of sale(s).**

§49-1. **Intent.**
This ordinance is designed to provide a mechanism to obtain further information regarding the date(s) and location(s) for yard sales, garage sales, estate sales, auctions or other sales occurring on residential property within the Town of Lancaster in order that the Town may put in place the appropriate traffic control and public safety measures the Town Police Department deems advisable.

§49-2. **Application for permit.**
All parties desiring to hold a sale of personal property of any kind whatsoever where the public is invited onto a residential site shall obtain a permit from the Town Clerk's Office of the Town of Lancaster at least 48 hours prior to the sale date(s).

§49-3. **Permit fee.**
There shall be no permit fee for the issuance of such permit.

§49-4. Limitation.

A sale at any one location shall be limited to:

- (a) No more than two (2) times in a twelve (12) month period and at least thirty (30) days apart, and
- (b) No more than three (3) consecutive days.

§49-5. Posting of signs.

All signs posted advertising such a sale must be temporary in nature and must be removed immediately after the sale ends. Failure to remove signs in a timely fashion may be reason to deny a future permit.

§49-6. Location.

The permit application shall identify the owner of property, the address of the property, the dates and times of the sale. In the event that more than one property is involved in the sale such as in a neighborhood or block sale, there shall be the need for only one permit to be issued identifying all of the addresses involved in the sale.

and

BE IT FURTHER

RESOLVED, as follows:

1.) That said Ordinance be added in the minutes of the meeting of the Town Board of the Town of Lancaster, held on the 21st day of August, 2000.

2.) That a certified copy of this Ordinance be published in the Lancaster Bee on August 24, 2000.

3.) That a certified copy of this Ordinance be posted on the Town Bulletin Board, and

4.) That Affidavits of Publication and Posting be filed with the Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 21, 2000

File: rydsala.800

**LEGAL NOTICE
NOTICE OF ADOPTION
CHAPTER 49 - YARD SALES
TOWN OF LANCASTER**

Chapter 49, entitled "Yard Sales", of the Code of the Town of Lancaster be and is hereby adopted and reads as follows:

**CHAPTER 49
YARD SALES**

- §49-1. Intent.**
- §49-2. Application for permit.**
- §49-3. Permit fee.**
- §49-4. Limitation.**
- §49-5. Posting of signs.**
- §49-6. Location of sale(s).**

§49-1. Intent.
This ordinance is designed to provide a mechanism to obtain further information regarding the date(s) and location(s) for yard sales, garage sales, estate sales, auctions or other sales occurring on residential property within the Town of Lancaster in order that the Town may put in place the appropriate traffic control and public safety measures the Town Police Department deems advisable.

§49-2. Application for permit.
All parties desiring to hold a sale of personal property of any kind whatsoever where the public is invited onto a residential site shall obtain a permit from the Town Clerk's Office of the Town of Lancaster at least 48 hours prior to the sale date(s).

§49-3. Permit fee.
There shall be no permit fee for the issuance of such permit.

§49-4. Limitation.
A sale at any one location shall be limited to:

- (a) No more than two (2) times in a twelve (12) month period and at least thirty (30) days apart, and
- (b) No more than three (3) consecutive days.

§49-5. Posting of signs.
All signs posted advertising such a sale must be temporary in nature and must be removed immediately after the sale ends. Failure to remove signs in a timely fashion may be reason to deny a future permit.

§49-6. Location.

The permit application shall identify the owner of property, the address of the property, the dates and times of the sale. In the event that more than one property is involved in the sale such as in a neighborhood or block sale, there shall be the need for only one permit to be issued identifying all of the addresses involved in the sale.

August 21, 2000

STATE OF NEW YORK :
COUNTY OF ERIE : ss:
TOWN OF LANCASTER :

This is to certify that I, Johanna M. Coleman, Town Clerk and Registrar of Vital Statistics of the Town of Lancaster in the said County of Erie, have compared the foregoing copy of an Ordinance entitled "Yard Sales" and designated as Chapter 49 of the Code of the Town of Lancaster, with the original thereof filed in my office at Lancaster, New York on the 21st day of August, 2000 and that the same is a true and correct copy of said original, and of the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 21st day of August, 2000.

Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

WHEREAS, several substantial commercial projects will be ready to break ground in the Town of Lancaster in the very near future and will require an inspector to be on site a good portion of the day, and

WHEREAS, a vacancy exists in the position of Assistant Building Inspector, Full Time, in the Building & Zoning Department of the Town of Lancaster, and

WHEREAS, the Building & Zoning Inspector of the Town of Lancaster, by letter dated August 7, 2000, has recommended the appointment of **George Pease** to the position of Assistant Building Inspector (Provisional), Full Time.

NOW, THEREFORE, BE IT

RESOLVED, that George Pease, 34 Christen Court, Lancaster, New York 14086 be and is hereby appointed to the position of Assistant Building Inspector (Provisional), Full Time, in the Town of Lancaster Building & Zoning Department effective immediately. This appointment is pending a future civil service exam and placing in the top three (3) on the eligibility listing in order to retain this position permanently.

BE IT FURTHER

RESOLVED, that the starting salary, based upon his previous construction experience and part time Building Inspector duties with the Town of Lancaster, will be at \$36,884., in accordance with the January 1, 2000 Schedule of Salaries for Civil Service Employees (White Collar).

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 21, 2000

File: RPERS.APP (P2)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER PELLETTERIE, TO WIT:

WHEREAS, the Executive Director of the Youth Bureau of the Town of Lancaster desires to create one (1) additional position of Program Leader - Youth, Part Time in the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to complete and submit Form PO-17 (New Position Duties Statement) to create one (1) additional position of Program Leader - Youth, Part Time, in the Youth Bureau of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 21, 2000

File: Rpers.cre

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER GIZA, TO WIT:

WHEREAS, DPC, Inc., 6495 Transit Road, Bowmansville, New York has applied for a Dumping Permit for property situated at 6495 Transit Road, within the Town of Lancaster, pursuant to Chapter 22-8 of the Code of the Town of Lancaster, and

WHEREAS, the application was referred to the Building Inspector and Town Engineer for review and recommendation, and

WHEREAS, the Building Inspector and Town Engineer have completed their review and made a formal, favorable recommendation to the Town Board,

NOW, THEREFORE, BE IT

RESOLVED, that DPC, Inc., 6495 Transit Road, Bowmansville, New York be and are hereby authorized to dump and dispose of materials outside permitted sanitary landfills within the Town of Lancaster, namely on premises owned by the applicants at 6495 Transit Road, said dumping to be in strict conformance with the application of the petitioner as filed in the Office of the Town Clerk, and,

BE IT FURTHER

RESOLVED, that **this permit is conditioned** in accordance with the recommendations of the Town Engineer and Building Inspector as follows:

1. Fill shall consist of hard clay, stones, or broken concrete. No building demolition material such as wood, asphalt shingles, asbestos tiles, etc. are permitted.
2. The applicant should also be aware that if he intends to build on any filled area, bore samples along with a structural engineer's report will be required prior to the issuance of a building permit.
3. Access to the site shall be controlled to prevent unauthorized dumping of non-permitted material.
4. Dirt tracked on the road must be cleaned on a daily basis and more often if necessary.
5. Fill area shall be topsoiled and seeded.
6. Dumping will be allowed between the hours of 7 A.M. and 8 P.M. Monday through Saturday. No dumping shall be allowed on Sunday.
7. Dust from the site shall also be prevented from migrating off site.
8. Necessary measures for erosion and sediment control shall be used.

BE IT FURTHER

RESOLVED, that no building permit for the construction of any structure on the SBL premises upon which this dumping permit is issued shall be approved by the Town Building Inspector until such time as the Building Inspector certifies in writing to the Town Board that the conditions enumerated in this resolution have been fully complied with, and

BE IT FURTHER

RESOLVED, that pursuant to Chapter 22-8(D)(6) of the Code of the Town of Lancaster the permit authorization granted herein **expires one year from date of this resolution.**

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED NO
COUNCIL MEMBER STEMPNIAK	VOTED NO
COUNCIL MEMBER ZARBO	VOTED NO
SUPERVISOR GIZA	VOTED YES

August 21, 2000

File: RPERMIT.DUM(23-24)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTGOMERY, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ZARBO, TO WIT:

WHEREAS, Dianne Edwards and Marlene Kriegbaum, 1075 Blakeley Road, East Aurora, New York has applied for a Dumping Permit for property situated at 6466 Broadway, within the Town of Lancaster, pursuant to Chapter 22-8 of the Code of the Town of Lancaster, and

WHEREAS, the application was referred to the Building Inspector and Town Engineer for review and recommendation, and

WHEREAS, the Building Inspector and Town Engineer have completed their review and made a formal, favorable recommendation to the Town Board,

NOW, THEREFORE, BE IT

RESOLVED, that Dianne Edwards and Marlene Kriegbaum, 1075 Blakeley Road, East Aurora, New York be and are hereby authorized to dump and dispose of materials outside permitted sanitary landfills within the Town of Lancaster, namely on premises owned by the applicants at 6466 Broadway, said dumping to be in strict conformance with the application of the petitioner as filed in the Office of the Town Clerk, and,

BE IT FURTHER

RESOLVED, that **this permit is conditioned** in accordance with the recommendations of the Town Engineer and Building Inspector as follows:

1. Fill shall consist of hard clay, stones, or broken concrete. No building demolition material such as wood, asphalt shingles, asbestos tiles, etc. are permitted.
2. The applicant should also be aware that if he intends to build on any filled area, bore samples along with a structural engineer's report will be required prior to the issuance of a building permit.
3. Access to the site shall be controlled to prevent unauthorized dumping of non-permitted material.
4. Dirt tracked on the road must be cleaned on a daily basis and more often if necessary.
5. Fill area shall be topsoiled and seeded.
6. Dumping will be allowed between the hours of 7 A.M. and 8 P.M. Monday through Saturday. No dumping shall be allowed on Sunday.
7. Dust from the site shall also be prevented from migrating off site.
8. Swales shall be developed in order to direct the flow of water to the rear of the property.

BE IT FURTHER

RESOLVED, that no building permit for the construction of any structure on the SBL premises upon which this dumping permit is issued shall be approved by the Town Building Inspector until such time as the Building Inspector certifies in writing to the Town Board that the conditions enumerated in this resolution have been fully complied with, and

BE IT FURTHER

RESOLVED, that pursuant to Chapter 22-8(D)(6) of the Code of the Town of Lancaster the permit authorization granted herein **expires one year from date of this resolution.**

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 21, 2000

File: RPERMIT.DUM(22-23)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER MONTOUR, TO WIT:

WHEREAS, Lynn Harrington, Program Coordinator for the Lancaster Youth Bureau has been on a Town Board granted leave of absence, which was granted from March 1, 2000 until March 1, 2001, and has now requested to return to her previously appointed position, and

WHEREAS, the Executive Director of the Youth Bureau of the Town of Lancaster by letter dated August 16, 2000 has recommended that Sherri Bottlinger be terminated from the position of Program Coordinator, temporary, and that Lynn Harrington be reinstated in said position of Program Coordinator, and

NOW, THEREFORE, BE IT

RESOLVED, that Lynn Harrington be reinstated to the position of Program Coordinator in the Youth Bureau of the Town of Lancaster at a salary rate in accordance with the January 1, 2000 Schedule of Salaries, and benefits consistent with the CSEA White Collar Contract, effective September 1, 2000.

BE IT FURTHER

RESOLVED, that Sherri Bottlinger be terminated from the position of Program Coordinator, temporary.

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 21, 2000

file:rpers/rpers.gen (P3)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ZARBO, TO WIT:

WHEREAS, Summit Construction Group, 344 Vulcan Street, Buffalo, New York has submitted a Site Plan prepared by, Wm. Schutt & Associates, P.C., and dated July 28, 2000 for the construction of a 13,300 sq. ft office and warehouse facility located on the north side of Lancaster Parkway in Lancaster Industrial Park on the east side of Pavement Road, north of Walden Avenue in the Town of Lancaster, and

WHEREAS, at its meeting August 16, 2000 the Planning Board reviewed the plan, and recommended approval of this project, and

WHEREAS, a SEQR review was held on this project on August 21, 2000 and a Negative Declaration was issued at that time.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the Site Plan., submitted by **Summit Construction Group**, 344 Vulcan Street, Buffalo, New York and prepared by Wm. Schutt Construction Group P.C. and dated July 28, 2000, for the construction of an 13,300 sq. ft. Office/warehouse facility located on the north side of Lancaster Parkway in Lancaster Industrial Park on east side of Pavement Road, Walden Avenue in the Town of Lancaster, New York, subject to the following conditions:

- Binder will be used in lieu of gravel in the back lot;
- Additional trees to be added to the east/west line to the satisfaction of the Town Forestry Department.

The question of the adoption of the following resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 21, 2000

File: rasite2.821

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ZARBO, TO WIT:

WHEREAS, Moe's Auto Glass, 5067 Transit Road, Lancaster, New York has submitted a Site Plan prepared by, King Consulting Engineers, P.C., and dated July, 2000 for the construction of an 8,100 sq.ft. building adjacent to its existing facility located on the east side of Transit Road south of Como Park Boulevard, and locally known as 5067 Transit Road in the Town of Lancaster, and

WHEREAS, at its meeting August 16, 2000 the Planning Board reviewed the plan, and recommended approval of this project, and

WHEREAS, a SEQR review was held on this project on August 21, 2000 and a Negative Declaration was issued at that time.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the Site Plan., submitted by Moe's Auto Glass., and prepared by King Consulting Engineers, P.C., and dated July, 2000, for the construction of an 8,100 sq. ft. building adjacent to its existing facility located on the east side of Transit Road, south of Como Park Boulevard, and locally known as 5067 Transit Road, in the Town of Lancaster, New York, subject to the following conditions:

- Binder to be in lieu of gravel in the back lot;
- Landscaping subject to approval of the Town Forestry Department.

The question of the adoption of the following resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 21, 2000

File: rasitel.821

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER STEMPIAK, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered
paid from their respective accounts as per abstract to be filed in the Office of the Town Clerk by
the Director of Administration and Finance, to wit:

Claim No. 3683 to Claim No. 3963 Inclusive

Total amount hereby authorized to be paid: \$810,504.93

The question of the foregoing resolution was duly put to a vote on roll call which
resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 21, 2000

File: Relaims

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ZARBO, TO WIT:

RESOLVED that the following Building Permit Applications be and are hereby
approved and the issuance of these Building Permits be and are hereby authorized:

CODES:

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are waived
for this permit.

(CSW) = Conditional sidewalk waiver.

NEW PERMITS:

Pmt #	SW	Applicant Name	Address	Structure
7211		Cimminelli, Frank	50 Quail Run Ln	Er. Sin. Dwlg
7212		Hoffmann, John	103 Pheasant Run Ln	Er. Deck
7213		Hoffmann, John	103 Pheasant Run Ln	Er. Pool
7214		Transit-Rehm Assoc	6363 Transit Rd	Com. Addition
7215		Transit Wehrle Assoc	6733 Transit Rd	Com. Addition
7216		Thibault, James	240 Westwood Rd	Res. Addition
7217		Baltaziuk, Stanislaw	399 Stony Rd	Er. Shed
7218		Pleasantview Assoc Inc	59 Stony Brook Dr	Er. Sin. Dwlg
7219		Tn of Lancaster IDA	2655 Wehrle Dr	Er. Temp. Sign
7220		Stanley, James	313 Peppermint Rd	Miscellaneous
7221		Winkel, Jim	26 Hunters Dr	Er. Shed
7222		Forbes	12 Sussex Ln	Er. Sin. Dwlg
7223		Donato Homes	143 Nathan's Trl	Er. Sin. Dwlg
7224		Donato Homes Inc	196 Nathan's Trl	Er. Sin. Dwlg
7225		Tn of Lancaster IDA	4845 Transit Rd	Er. Temp Sign
7226		Windsor Ridge Partners	9 Windcroft Ln	Er. Sin. Dwlg
7227		Tabled [See Next Resolve]		
7228		Tranquilli, Michael	65 Country Pl	Er. Shed
7229		Forestream Village Inc	4733 Transit Rd	Er. Temp. Sign
7230		Hineman, William	107 Stony Rd	Res. Addition
7231		Stahl, Louis	156 Wendel St	Er.. Shed
7232		Leitten, Chas	101 Michael's Walk	Er. Deck
7233		Transit French Assoc	4779 Transit Rd	Com. Fuel Tanks/Pumps
7234		Pleasantview Assoc	51 Stony Brook Dr	Er. Sin. Dwlg
7235		Marrano/Marc Equity	23 Bentley Cir	Er. Sin. Dwlg
7236		Myszka, Joyce	4982 William St	Er. Pool
7237		Ferry, Walter	28 Seneca Pl	Er. Sin. Dwlg
7238		Safe, James	382 Seneca Pl	Er. Shed
7239		Thurnherr, Richard	131 Pavement Rd	Miscellaneous
7240		Guenther, James	562 Pavement Rd	Demolition
7241		Guenther, James	562 Pavement Rd	Er. Garage

7242	Transit-Rehm Assoc	6363 Transit Rd	Com. Addition
7243	Whelan, Robert	27 Partridge Walk	Res. Addition
7244	Douglas, Gregory	203 Peppermint Rd	Er. Pool
7245	Beeman, Darren	149 Schwartz Rd	Er. Sin. Dwlg
7246	Hart, John	38 Greenmeadow Dr	Res. Addition
7248	Kaczor, James	21 Grace Way	Er. Fence
7249	Montondo, Mark	45 Quail Run Ln	Er. Deck
7250	Montondo, Mark	45 Quail Run Ln	Res. Alteration
7251	Sebastiano, Joseph	218 Enchanted Forest N	Er. Shed
7252	Ferry, Walter	33 Katelyn Ln	Er. Sin. Dwlg

BE IT FURTHER

RESOLVED, that Building Permit Application No. 7227 applied for by Marrano/Marc Equity to erect a single dwelling on premises situate on 68 Trentwood Trail be and is hereby tabled for further study, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 21, 2000

File:Rbldg2

COMMUNICATIONS & REPORTS:

- 546. Council Member Zarbo to Town Board -
Express concerns re: Town Attorney and his alleged political deception.
DISPOSITION = Received and Filed
- 547. Supervisor to Town Board -
Transmittal of list of safest municipalities. DISPOSITION = Received and Filed
- 548. Lancaster Industrial Development Agency to Town Attorney -
Express desire that the Town of Lancaster serves as lead agency in the matter of SEQR
evaluation for American Sales Co., Inc. expansion. DISPOSITION = Received and
Filed
- 549. NYS Department of Transportation to Town Attorney -
Concurs with Town lead agency designation re: American Sales Co., SEQR.
DISPOSITION = Received and Filed
- 550. Roy Schneggenburger to Supervisor -
Comments re: Town Board Meetings. DISPOSITION = Received and Filed
- 551. Council Member Zarbo to Town Board -
Transmittal of suggested guidelines for Police Department interviews, pre employment.
DISPOSITION = Received and Filed
- 552. NYS Department of Transportation to Town Clerk -
Reply to resolution re: request for no parking zone Route 33. DISPOSITION = Public
Safety Committee
- 553. Building & Zoning Inspector to Town Board -
Request appointment of full time Assistant Building Inspector . DISPOSITION =
Resolution 8/21/2000
- 554. Vice President M & T Bank to Director of Administration & Finance -
Congratulations on the Town of Lancaster receiving the Certificate of Achievement For
Excellence in Financial Reporting for the Town's 1998 year end reports.
DISPOSITION = Received and Filed
- 555. Law Offices of Brad F. Randaccio to Town Board -
Request the rezone petition be put on the Town Board agenda for Windsor Ridge
Partners, LLC. for the next Board meeting. DISPOSITION = Resolution 8/21/2000
- 556. Richard Korcz to Planning Board, Town Board -
Transmittal of concerns re: site plan for northeast corner of Aurora Street and William
Street. DISPOSITION = Planning Committee
- 557. General Crew Chief to Planning Board Chairman, Planning Board Members, Council
Members Stempniak & Pelletterie -
Transmittal of recommendations re: landscape plan for Gateway Center.
DISPOSITION = Planning Committee
- 558. General Crew Chief to Planning Board Chairman, Planning Board Members, Council
Members Stempniak & Pelletterie -
Request a landscape plan for DPC, Inc & Moe's Auto Glass (expansion) re: site plan
applications. DISPOSITION = Planning Committee
- 559. General Crew Chief to Planning Board Chairman, Planning Board Members, Council
Members Stempniak & Pelletterie -
Recommendations re: addition of trees to the east and west property lines of Lancaster
Industrial Commerce Center sit plan. DISPOSITION = Planning Committee
- 560. David Seeger to Planning Board Chairman -
Request consideration of comments re: site plan application of Bella Vista Group, Inc.
for retail project on Northeast Corner of Transit Road and William Street.
DISPOSITION = Planning Committee

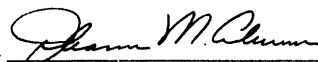
561. Chief of Police to Planning Board Chairman -
Transmittal of no comments relative to an elevation plan re: proposed retail building at NEC Transit Road and William Street. DISPOSITION = Planning Committee
562. Mr & Mrs Patrick Pokorski to Planning Board and Town Board -
Conveyance of concerns re: proposed Commerce Center 4106 Walden Avenue and 502 Pavement Road. DISPOSITION = Planning Committee
563. Office of the State Comptroller to Town Clerk -
Request response or what action has been taken or proposed re: Report of Examination. DISPOSITION = Town Attorney
564. Joseph Juszcak to Town Board -
Suggests using floodlights from school field house for Little League Diamonds at Westwood Park and Walden Pond Park. DISPOSITION = Received & Filed
565. Youth Bureau Executive Director to Supervisor -
Request appointment of Sherri Bottlinger to position of Program Leader - Youth. DISPOSITION = Resolution 8/21/2000
566. General Crew Chief to Supervisor -
Requests consideration to allow Lancaster/Depew Little League to purchase lighting and installation of it at Westwood Park. DISPOSITION = Resolution 8/21/2000
567. NYS Department of Environmental Conservation to Supervisor
Designation of SEQR Lead Agency for Commerce Center (Uniland) at Walden Ave and Pavement Rd. DISPOSITION = Planning Committee
568. Town Engineer and Building & Zoning Inspector to Town Board -
Recommend issuance of dumping permit for Dianne Edwards and Marlene Kriegbaum. DISPOSITION = Planning Committee
569. Town Engineer and Building & Zoning Inspector to Town Board -
Recommend issuance of dumping permit for DPC, Inc. DISPOSITION = Resolution 8/21/2000 (Permit Denied)
570. Planning Board to Town Board -
Transmittal of site plan approval for Moe's Auto Glass (Expansion). DISPOSITION = Resolution 8/21/2000
571. Planning Board to Town Board -
Transmittal of site plan approval for Summit Construction. DISPOSITION = Resolution 8/21/2000
572. Planning Board to Town Board -
Notification that the site plan review for DPC, Inc was tabled until next meeting. DISPOSITION = Received and Filed
573. Planning Board to Town Board -
Transmittal of rezone approval for Uniland Development Corp. DISPOSITION = Received and Filed
574. Planning Board Chairman to Planning Board, Town Board, Engineer, Dep. Town Attorney, Building Inspector -
Enclosure of draft copy of minutes from meeting held August 16, 2000. DISPOSITION = Received and Filed
575. Planning Board to Town Board -
Transmittal of site plan approval for Gateway Center. DISPOSITION = Planning Committee
576. LIDA Chairman to Supervisor -
Notification of Public Hearing to be held September 5, 2000 re: Altema Enterprises L.P./Sealing Devices, Inc. DISPOSITION = Received and Filed

577. Village of Lancaster Special Events Director to Supervisor -
Expression of gratitude for support and vouchers re: "Taste of Lancaster" and the
Town's annual 3-on-3 Basketball Tournament. DISPOSITION = Received and Filed
578. Lancaster Village Trustee Stribing to Supervisor -
Notification of meeting date re: Lancaster Library Pull-Off on Broadway August 24,
2000. DISPOSITION = Library Committee
579. Village of Lancaster Fire Safety Education Office to Town Board -
Invitation to attend "Fire Prevention And Life Safety Family Day" to be held
September 24, 2000. DISPOSITION = Received and Filed
580. NYS Office of Real Property Services to Supervisor -
Notification that the Town of Lancaster has met the standards and is eligible for a
Maintenance Aid payment based on its 1999 Final Assessment Roll. DISPOSITION
= Received and Filed
581. Erie County Dept. of Environment & Planning to Supervisor -
Notification of Household Hazardous Waste Drop-Off Day to be held September 9,
2000. DISPOSITION = Received and Filed
582. M & T Bank to Supervisor -
Congratulations to Town of Lancaster on receiving the Certificate of Achievement fo
Excellence in Financial Reporting for the Town's 1998 year end report. DISPOSITION
= Received and Filed
583. Town Clerk to Town Board -
Transmittal of Special Use Permit Application from Joseph Todaro. DISPOSITION =
Town Attorney
584. County of Erie, Division of Budget, Management and Finance to Town Clerk -
Enclosure of final County 2000 tax settlement with Erie County. DISPOSITION =
Received and Filed

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER MONTOUR AND SECONDED BY
THE ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 12:25 A.M.**

Signed



Johanna M. Coleman, Town Clerk